

Article - Labor and Employment

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§4-322.

(a) A person who is charged with constructive criminal contempt for a violation of injunctive relief in a case that involves or grows out of a labor dispute is entitled:

- (1) to pretrial release as provided for defendants in criminal cases;
- (2) to notice of the accusation;
- (3) to a reasonable time to make a defense; and

(4) except for an officer of the court who is charged with disobedience, misbehavior, or other misconduct in respect to process of the court, on demand, to a speedy and public trial by an impartial jury from the judicial district where the contempt is alleged to have been committed.

(b) (1) Whenever the charge of constructive criminal contempt arises from an attack on the character or conduct of a judge, the defendant is entitled to recusal of the judge if the defendant files a demand for recusal before the hearing on the charge.

(2) Whenever a defendant files a timely demand for recusal:

- (i) the judge may not proceed further; and
- (ii) the presiding judge of the court shall designate another judge as a replacement.

(c) (1) A person who is guilty of constructive criminal contempt in a labor case is subject to a fine not exceeding \$100 or imprisonment not exceeding 15 days or both.

(2) A person who is imprisoned for failure to pay a fine imposed under this subsection shall be discharged:

- (i) after 15 days; or
- (ii) if also imprisoned for a definite period, 15 days after the end of the period.

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